

EXHIBIT 3

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND)
COMPOUNDING PHARMACY,)
INC. PRODUCT LIABILITY)
LITIGATION.)
)MDL NO. 2419
)Master Dkt:
THIS DOCUMENT RELATES TO:)1:13-md-02419-RWZ
)
All Actions)
_____)

VIDEOTAPED DEPOSITION OF:

REBECCA CLIMER

Taken on behalf of the Plaintiff

July 15, 2015

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1 made some maybe -- perhaps some grammatical
2 changes and some punctuation changes.

3 Q. Yeah, and this isn't a trick question. I
4 just want to confirm --

5 A. No.

6 Q. -- that there's not somebody Helen out
7 there --

8 A. No.

9 Q. -- that we should also be talking to?

10 And to the best of your recollection, a
11 document like this appeared on the website in or
12 around early October 2012?

13 A. Yes.

14 Q. And this would have been the sort of
15 first copy, if you will, that went up on that
16 newly-created web page?

17 A. Yes.

18 Q. Is there a reason why it didn't go up on
19 the St. Thomas Outpatient Surg- -- Neurosurgical
20 Center's website?

21 A. I wasn't in charge -- I'm not in charge
22 of that website, and I don't know that there was
23 a separate website.

24 Q. Yeah, that's -- that's kind of what I'm
25 getting at. Do you know if the St. Thomas

1 Outpatient Neurosurgical Center maintained a
2 website in October of 2012?

3 A. Not a separate site, but there were
4 references to and allusions to the St. Thomas
5 Outpatient Neurosurgical Center on the Howell
6 Allen website.

7 Q. Sure.

8 (Exhibit 496 was marked.)

9 BY MR. GASTEL:

10 Q. Hand you what we'll call a collective
11 Exhibit 496 (tendering).

12 MR. GASTEL: And just for the
13 record, the collective exhibit is some e-mail
14 correspondence beginning with Bates mark
15 STE_MDL_4842, and the second page is a -- is a
16 -- is a screenshot of a website. We'll get to
17 questions about that in a second.

18 MR. SCHRAMEK: Is it just one
19 website attachment?

20 MR. GASTEL: Yes.

23 THE WITNESS: (Reviews document.)

24 BY MR. GASTEL:

25 O. Are you done, ma'am?

1 REPORTER'S CERTIFICATE

2 I certify that the witness in the
3 foregoing deposition, REBECCA CLIMER, was by me
4 duly sworn to testify in the within entitled
5 cause; that the said deposition was taken at the
6 time and place therein named; that the testimony
7 of said witness was reported by me, a Shorthand
8 Reporter and Notary Public of the State of
9 Tennessee authorized to administer oaths and
10 affirmations, and said testimony, Pages 7
11 through 161 was thereafter transcribed into
12 typewriting.

13 I further certify that I am not of
14 counsel or attorney for either or any of the
15 parties to said deposition, nor in any way
16 interested in the outcome of the cause named in
17 said deposition.

18 IN WITNESS WHEREOF, I have hereunto set
19 my hand this 24th day of July, 2015.

20

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Carissa L. Boone, LCR No. 382
My License Expires: 5/08/2017

1 DEPOSITION ERRATA SHEET

2 Assignment No. 23051

3 Case Caption: NEW ENGLAND COMPOUNDING PHARMACY,

4 INC. PRODUCT LIABILITY

Witness: REBECCA CLIMER - July 15, 2015

5

6 DECLARATION UNDER PENALTY OF PERJURY

7 I declare under penalty of perjury

8 that I have read the entire transcript of

9 my Deposition taken in the captioned matter

10 or the same has been read to me, and

11 the same is true and accurate, save and

12 except for changes and/or corrections, if

13 any, as indicated by me on the DEPOSITION

14 ERRATA SHEET hereof, with the understanding

15 that I offer these changes as if still under

16 oath.

17 Signed on the _____ day of

18 _____, 20____.

19 _____

20 REBECCA CLIMER

21 Sworn to and subscribed before me this _____ day

22 of _____, 20____.

23 _____

24 Notary Public

25 My commission expires_____